IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 15TH MAY 2007 / 25TH VAISAKHA 1929

Bail Appl..No. 2813 of 2007()

CRIME NO. 263 OF 2004 OF MANNAR POLICE STATION

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PETITIONER/ACCUSED.

PRABHAKARAPANICKER @ PRABHA , AGED 40,
S/O. GOVINDAN, KAKKANATTEZHATHU HOUSE,
ENNAKKADU P.O.

BY ADV. SRI.V.V.NANDAGOPAL NAMBIAR
SRI.T.P.PRADEEP

RESPONDENTS: COMPLAINANT.

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.C. SANTHOSH KUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2813 of 2007

DATED: 15-05-2007

O R D E R

Petitioner who is the 2nd accused in Crime No.263 of 2004 of Mannar Police Station for offences punishable under Secs.324, 326 and 308 read with Sec. 34 I.P.C. seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P. No. 54 of 2005 on the file of the J.F.C.M.-II, Chengannur, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within one month from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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